IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH.

COCP No. 1492 of 2007.
Date of Decision: 02nd May, 2008.

Jaswant Singh, ...Petitioner
through
Mr.A.S.Bhatti, Advocate

Versus

Ms. Alok Nanda Dayal
...Respondent
through
Mr. M.C.Berry, Addl.AG, Punjab.

CORAM:

HONBLE MR. JUSTICE SURYA KANT.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

SURYA KANT,J.(ORAL)

In deference to the order dated 20.3.2008, Ms. Alok Nanda Dayal, presently posted as Additional Secretary to Government of Punjab, is present in Court. She has also filed an additional affidavit explaining the circumstances which led to the delay in complying with the Court order dated 4.7.2006. It has been pointed out that this Court had directed the Election Tribunal, Fatehgarh Sahib to register the writ petition as an election petition and dispose of the same within a stipulated period, whereas under the Sikh Gurudwara Election Inquiries Rules, 1925, the Election Tribunal at Fatehgarh Sahib had no jurisdiction.

A photo copy of the order dated 11.4.2008 passed by Division Bench of this Court in Civil Misc. No.14956 of 2007 in CWP NO. 20155 of 2005 has also been brought to my notice whereby the

subject order dated 4.7.2006 has been modified/clarified to the extent that instead of Election Tribunal, Fatehgarh Sahib, the matter is required to be decided by the competent authority under the 1925 Rules, referred to above. It is also stated that in fact there is no Election Tribunal at Fatehgarh Sahib.

Be that as it may, in view of the fact that the order dated 4.7.2006 has now been modified by this Court and the obligation to decide the Election Petition now lies upon the competent Authority under the 1925 Rules, I do not deem it appropriate to continue with these contempt proceedings which are accordingly disposed of, however, with liberty to the petitioner to pursue his election petition before the competent authority in terms of the directions issued by this Court.

Rule discharged.

Disposed of.

May 02, 2008. ***(SURYA KANT)***
dinesh ***JUDGE***